



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HADLACZKY *et al.*
Serial No. 09/836,911
Filed: April 17, 2001
Confirmation No.: 7763
For: *ARTIFICIAL CHROMOSOMES, USES
THEREOF AND METHODS FOR
PREPARING ARTIFICIAL
CHROMOSOMES*
Art Unit: 1642
Examiner: Unassigned

I hereby certify that this paper and the attached
papers are being deposited with the United States
Postal Service as first class mail in an envelope
addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

06/18/03
Date

Jayashree Aiyar Gerken
Jayashree Aiyar Gerken

ATTACHMENTS TO THE RESPONSE

The following supporting references are attached:

International PCT application No. WO 02/067665;
U.S. Patent No. 6,147,276;
International PCT application No. wo 95/17500;
Solter (1995) *Nature* 380:24-25;
Campbell *et al.* (1996) *Nature* 380:64-66;
Sims *et al.* (1993) *Proc. Natl. Acad. Sci. U.S.A.* 90:6143-6147;
Tanaka *et al.* (1997) *Animal Reproduction Science* 49:113-123
Schnieke *et al.* (1997) *Science* 278:2130-2133; and
Sgaramella *et al.* (1998) *Science* 279:635-666.

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JUN 25 2003

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Attorney Docket No. 24601-402I
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Jayshree Aiyar Gerken
Jayshree Aiyar Gerken

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith are a Response, with attachments, responsive to the Office Action mailed December 18, 2002, a check for the requisite fee for a three month extension of time (\$465), and a return postcard for filing in connection with the above captioned application. If a Petition for extension of time is needed, this paper is to be considered such Petition.

Extension fee for response within the third month:

(X) By a small entity \$465.00

- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

* * *

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:

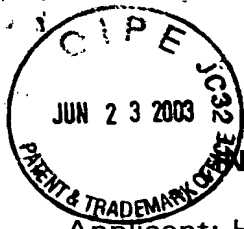
Stephanie L. Seidman
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Applicant: HADLACZKY *et al.*

Serial No.: 09/836,911

Confirmation No: 7763

Filed: April 17, 2001

For: *ARTIFICIAL CHROMOSOMES, USES
THEREOF AND METHODS FOR
PREPARING ARTIFICIAL
CHROMOSOMES*

Group Art Unit: 1632

Examiner: Shukla, R.

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Date

Jayshree Aiyar Gerken
Jayshree Aiyar Gerken

RESPONSE

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action mailed December 18, 2002,
consideration of the following remarks are respectfully requested:

REMARKS

A check for the fee for a three month extension of time accompanies this
response. Any fees that may be due in connection with filing this paper or with
this application during its entire pendency may be charged to Deposit Account
No. 50-1213. If a Petition for extension of time is required, this paper is to be
considered such Petition, and any fee charged to Deposit Account No. 50-1213.
A Supplemental Information Disclosure Statement is being filed on the same day
herewith under separate cover.

Claims 23-60 are pending in the instant application.

**THE REJECTION OF CLAIMS 23-60 UNDER 35 U.S.C. § 112, FIRST
PARAGRAPH**

Claims 23-60 are rejected under 35 U.S.C. § 112, first paragraph because
it is alleged that the specification does not reasonably provide enablement for
producing transgenic animals by introducing a artificial chromosome or satellite
artificial chromosome in any nuclear donor cell and transferring the nucleus of

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